

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Reed Smith LLP  
Kurt F. Gwynne, Esq.  
506 Carnegie Center, Suite 300  
Princeton, NJ 08540  
Telephone: (609) 987-0050  
Facsimile: (609) 951-0824  
Email: [kgwynne@reedsmith.com](mailto:kgwynne@reedsmith.com)

*Counsel for Edward A. Phillips, as Examiner*

In re:

DARYL FRED HELLER,  
  
Debtor.

Case No. 25-11354 (JNP)

Judge Jerrold N. Poslusny Jr.

Chapter 11

**NOTICE OF FILING OF REVISED PROPOSED ORDER**

PLEASE TAKE NOTICE that, on June 12, 2025, Edward A. Phillips, the court appointed examiner in this chapter 11 case (the “Examiner”), by and through his undersigned counsel, filed the *Application for an Order Authorizing (I) Release of Funds for Payment of Administrative Fees and Expenses of Edward A. Phillips, as the Examiner, Pursuant to the Administrative Fee Order* [Docket No. 332] (the “Application”). Attached to the Application was the *Order Authorizing (I) Release of Funds for Payment of Attorney’s and Other Administrative Fees and Expenses and (II) Other Related Relief Pursuant to the Administrative Fee Order* [Docket No. 332-1] (the “Proposed Order”).

On July 16, 2025, the Examiner, by and through his undersigned counsel, has filed the attached *Order Authorizing Release of Funds from McManimon, Scotland & Baumann, LLC’s*

*Attorney Trust Account for Payment of Fees and Costs of the Examiner and His Professionals*  
*Pursuant to the Administrative Fee Order (the “Revised Proposed Order”).<sup>1</sup>*

Date: July 16, 2025

Respectfully submitted,

By: /s/ Kurt F. Gwynne  
Kurt F. Gwynne, Essquire  
REED SMITH LLP  
506 Carnegie Center, Suite 300  
Princeton, NJ 08540  
Wilmington, DE 19801  
Telephone: (609) 987-0050  
Facsimile: (609) 951-0824  
Email: [kgwynne@reedsmith.com](mailto:kgwynne@reedsmith.com)

*Counsel for Edward A. Phillips, as  
Examiner*

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<sup>1</sup> The Revised Proposed Order addresses the resolution of the Application and related fee statements and is substantially different from the original Proposed Order and therefore a redline is not attached.

**UNITED STATES BANKRUPTCY COURT  
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Reed Smith LLP  
Kurt F. Gwynne, Esq.  
Jason D. Angelo, Esq.  
506 Carnegie Center, Suite 300  
Princeton, NJ 08540  
Telephone: (609) 987-0050  
Facsimile: (609) 951-0824  
Email: [kgwynne@reedsmith.com](mailto:kgwynne@reedsmith.com)  
[jangelo@reedsmith.com](mailto:jangelo@reedsmith.com)

*Proposed Counsel for Examiner*

In re:

DARYL FRED HELLER,

Debtor.

Case No. 25-11354 (JNP)

Judge Jerrold N. Poslusny Jr.

Chapter 11

**ORDER AUTHORIZING RELEASE OF FUNDS FROM MCMANIMON, SCOTLAND &  
BAUMANN, LLC'S ATTORNEY TRUST ACCOUNT FOR PAYMENT OF FEES AND  
COSTS OF THE EXAMINER AND HIS PROFESSIONALS PURSUANT TO THE  
ADMINISTRATIVE FEE ORDER**

The relief set forth on the following page is **ORDERED**.

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Debtor: Daryl Fred Heller

Case No.: 25-11354 (JNP)

Caption of Order: Order Authorizing Release of Funds From McManimon, Scotland & Baumann, LLC's Attorney Trust Account for Payment of Fees and Costs of the Examiner and his Professionals Pursuant to the Administrative Fee Order

**THIS MATTER**, having been opened to the Court by the following applications, fee statements and objections thereto:

- i. *Application for an Order Authorizing (I) Release of Funds for Payment of Administrative Fees and Expenses of Edward A. Phillips, as the Examiner, Pursuant to the Administrative Fee Order, filed June 12, 2025 [Docket No. 332] (“Examiner’s Application”)*
  - a. *Objection of Orrstown Bank to Application for an Order Authorizing Release of Funds for Payment of Administrative Fees and Expenses of Edward A. Phillips, as the Examiner, Pursuant to the Administrative Fee Order, filed June 19, 2025 [Docket No. 342] (the “Orrstown Bank Objection”)*
  - b. *McManimon, Scotland & Baumann, LLC’s (“MSB”) letter to the Court objecting to the Application, filed June 19, 2025 [Docket No. 343] (the “MSB Letter Objection”);*
- ii. *Second Monthly Fee Statement of Edward A. Phillips, Examiner, for the Period From April 1, 2025 Through April 30, 2025, filed May 21, 2025 [Docket No. 264]*
  - a. *Limited Objection to (I) Monthly Fee Statement of Reed Smith, Counsel for the Examiner, for the Period From March 18, 2025 Through April 30, 2025, (II) Second Monthly Fee Statement of Edward A. Phillips, Examiner, for the Period From April 1, 2025 Through April 30, 2025, (III) First Monthly Fee Statement of Getzler Henrich & Associates, LLC, Financial Advisor to the Examiner, for the Period From April 1, 2025 Through April 30, 2025, filed June 4, 2025 [Docket No. 305] (the “Limited Objection”);*
- iii. *First Monthly Fee Statement of Reed Smith LLP, Counsel for the Examiner (“Reed Smith”), for the Period From March 18, 2025 Through April 30, 2025, filed May 21, 2025 [Docket No. 267];*
  - a. The Limited Objection;
- iv. *First Monthly Fee Statement of Getzler Henrich & Associates, LLC, Financial Advisor to the Examiner (“Getzler Henrich”), for the Period From April 1, 2025 Through April 30, 2025, filed May 21, 2025 [Docket No. 268]; and*
  - a. The Limited Objection.

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Debtor: Daryl Fred Heller

Case No.: 25-11354 (JNP)

Caption of Order: Order Authorizing Release of Funds From McManimon, Scotland & Baumann, LLC's Attorney Trust Account for Payment of Fees and Costs of the Examiner and his Professionals Pursuant to the Administrative Fee Order

And the Orrstown Objection, the MSB Letter Objection, and the Limited Objection having been resolved and withdrawn; with the consent of the parties that filed the foregoing documents, and there being no objection to the following monthly fee statements: (i) *Third Monthly Fee Statement of Edward A. Phillips, Examiner, for the Period From May 1, 2025 Through May 31, 2025* [Docket No. 357]; (ii) *Second Monthly Fee Statement of Getzler Henrich & Associates, LLC, Financial Advisor to the Examiner, for the Period From May 1, 2025 Through May 31, 2025* [Docket No. 358]; and (iii) the *Second Monthly Fee Statement of Reed Smith LLP, Counsel for the Examiner, for the Period from May 1, 2025 Through May 31, 2025* [Docket No. 359]; and for good cause shown as set forth in such fee statements,

**IT IS HEREBY ORDERED that:**

1. The Examiner's Application is **GRANTED** subject to paragraphs 3 and 4 below.
2. MSB is authorized and directed, within three (3) days after this Order is entered on the docket, to release the aggregate sum of Two Hundred Fifty Thousand Three Hundred Dollars and Seventy-Five Cents (\$250,300.75) from the sale proceeds of the Sea Isle, New Jersey property in the MSB attorney trust account (the "MSB Attorney Trust Account") to pay (a) the fees (which represent 80% of the fees through May 2025) and (b) the expenses of the Examiner, Getzler Henrich and Reed Smith, as follows:

	Examiner	Getzler Henrich	Reed Smith	Total
80% of fees	\$72,186.40	\$33,568.00	\$136,117.98	\$241,872.38
Expenses	\$10.00	\$1,459.50	\$6,958.87	\$8,428.37

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Total	\$72,196.40	\$35,027.50	\$143,076.85	\$250,300.75
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3. MSB shall hold \$835,000 in the MSB Attorney Trust Account until the claim of Orrstown as to the sale proceeds contents of the MSB Attorney Trust Account and an Orrstown objection to the disposition of the proceeds, if any, is resolved.

4. MSB shall hold \$125,000 in the MSB Attorney Trust Account until a Leaman objection, if any, is resolved.